

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 22, 2005 PLANNING COMMISSION MEETING

P.A.S.: Special Permit # 05027, Domestic Employee

PROPOSAL: To allow a second unit for a domestic employee

LOCATION: S. 56th St and Rokeby Road.

WAIVER REQUEST: n/a

LAND AREA: 8.97 acres more or less

CONCLUSION: This meets the zoning code .

<u>RECOMMENDATION:</u>	Conditional Approval
-------------------------------	----------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 30 I.T. except the west 50'. located in the NW 1/4 of Section 3-9-7, Lancaster County, Nebraska.

EXISTING ZONING: AGR Agriculture Residential.

EXISTING LAND USE: Residence

SURROUNDING LAND USE AND ZONING:

North: acreages, zoned AGR

South: acreages, zoned AGR

East: acreages, zoned AGR

West: acreages, zoned AGR

ASSOCIATED APPLICATIONS: none

HISTORY: Zoned AG in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: This is shown in the City's future service area, Tier I.

UTILITIES: well and septic system.

TOPOGRAPHY: Gently rolling

TRAFFIC ANALYSIS: S. 56th is a paved county road.

PUBLIC SERVICE: County Sheriff, Norris Public Power, Norris School District , Southeast Rural Fire District.

REGIONAL ISSUES: NA

ENVIRONMENTAL CONCERNS: Wooded pasture. No defined floodplain.

AESTHETIC CONSIDERATIONS: N/A

ALTERNATIVE USES: One dwelling

ANALYSIS:

1. This request is for a dwelling for a domestic employee in an accessory building (barn) as provided for in 27.63.640. The pre-conditions of the special permit section are:
:
 - (1) The premises for which a special permit is requested shall be a buildable lot for single family use.
 - (2) No more than one dwelling unit for domestic employees shall be permitted.
 - (3) Parking shall be in conformance with Chapter 27.67, but additional parking requirements may be imposed.
 - (4) The number of domestic employees residing on the premise shall be limited to two.For the purpose of this section, "domestic employee" shall mean an employee such as a household servant, gardener, caretaker, or chauffeur whose work is usually necessary or desirable for the maintenance and enjoyment of his or her employer's home.
2. The applicant states the employee will do many tasks, including childcare, care for a disabled mother, errands, transportation, home maintenance and grounds keeping.
3. Building and Safety notes the new residence must meet codes and will be limited to occupancy by an employee of the premise.
4. Health Department notes no objection.

CONDITIONS:

Site Specific:

1. This approval permits a dwelling unit for a domestic employee in an accessory building on this premise under the provisions of 27.63.640.

General:

2. The construction plans comply with the approved plans.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying this accessory dwelling unit all development and construction is to comply with the approved plans.
 - 3.2 Before occupying this accessory dwelling unit City/County Health Department is to approve the water and waste water systems.
 - 3.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Prepared by

Mike DeKalb, 441-6370, mdekalb@lincoln.ne.gov
Planner

DATE: June 8, 2005

APPLICANT: Ryan and Jennifer Omel
10400 S. 56th St
Lincoln, NE 68542
(402) 261-4478

OWNER: Ryan J and Jennifer Omel, husband and wife, as joint tenants

CONTACT: Ryan Omel

F:\FILES\PLANNING\PC\PERMITS\SP\05000\SP05027 Domestic employee.mvd.wpd



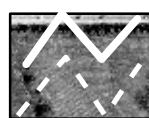
2002 aerial

Special Permit #05027 S. 56th & Rokeby Rd

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

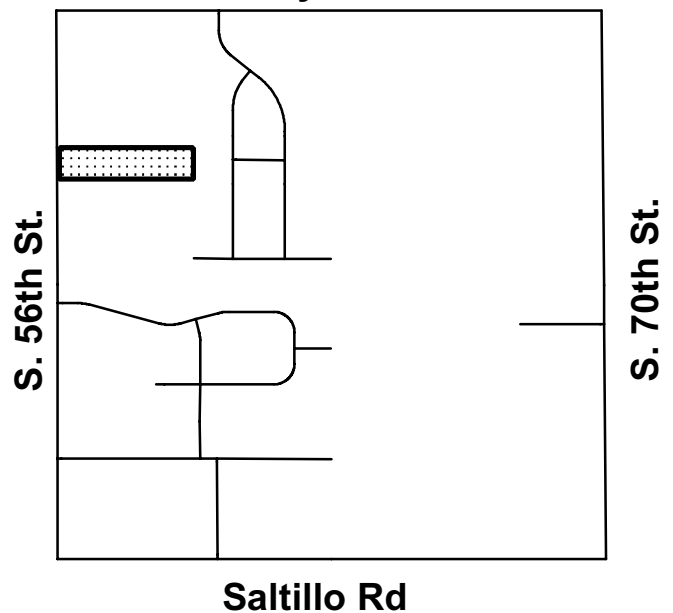
One Square Mile
Sec. 33 T9N R7E



Zoning Jurisdiction Lines

City Limit Jurisdiction

Rokeby Rd.



540 W. INDUSTRIAL LAKE DR.
SUITE 1 LINCOLN, NE 68528
(402) 476-3020
(402) 476-3138 FAX

SURVEY RECORD

K&M
Land Surveying

RYAN & JENNIFER OMEL

PROJECT # 0409144

DATE 10/18/04 B/P: 143144

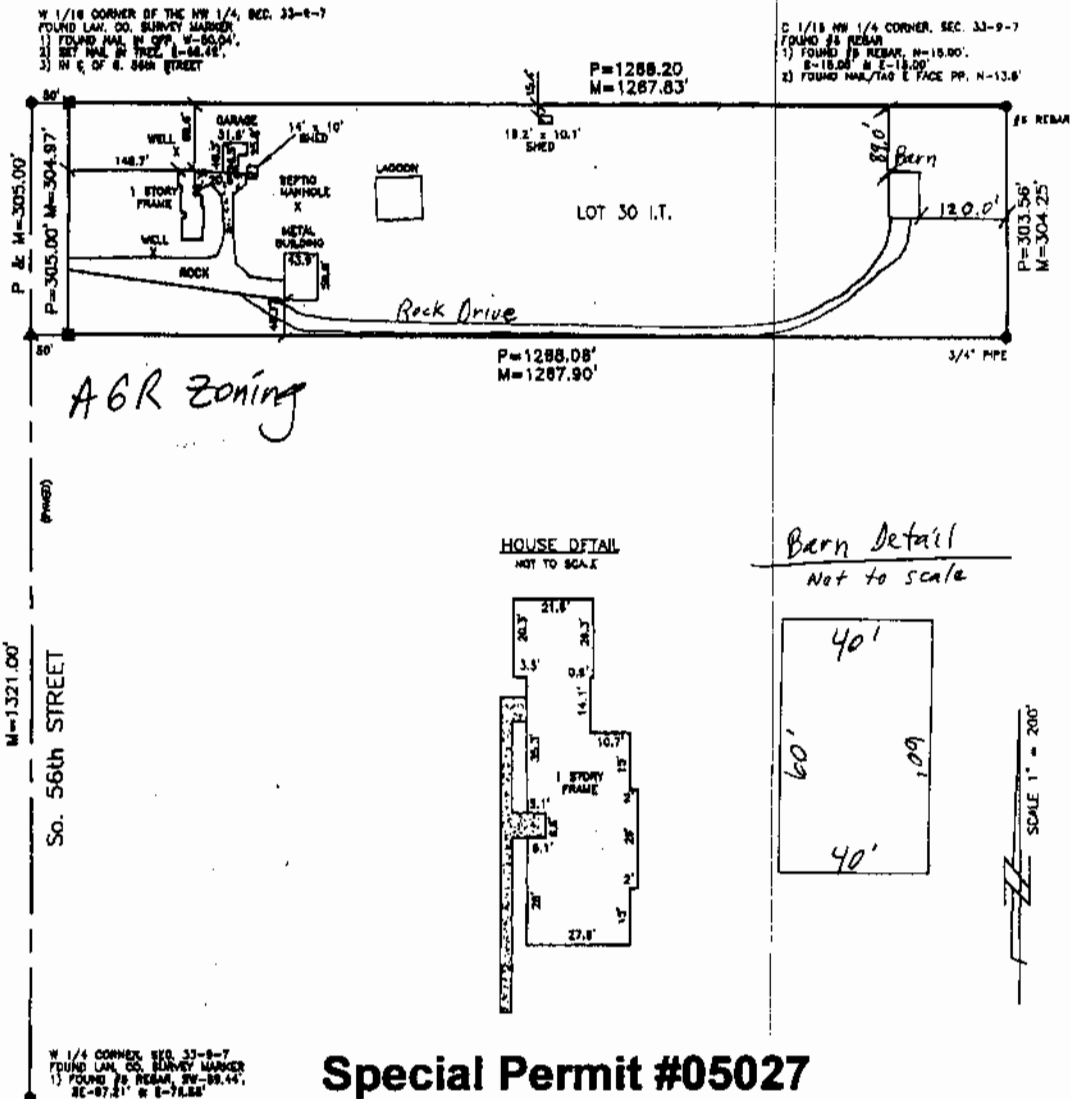
Survey Of: LOT 30 IRREGULAR TRACT, EXCEPT THE WEST 50',
LOCATED IN THE NORTHWEST QUARTER OF

MAY 19 2005

Section: 33, T 9 N, R 7 E, of the 8th P.M. LINCOLN, LANCASTER County, Nebraska



10400 So. 56th STREET



A6R Zoning

Special Permit #05027 S. 56th & Rokeby Rd

Subject property apparently falls within the confines of Zone " X " as determined by the FEMA-FIA
Flood Rate Map community 318273, panel 0438 E, revised 8-21-01.

P = Platted ■ = Set #6 Rebar & L.S. #483 Cap
M = Measured ▲ = Set Temp. Point.
● = Found as noted

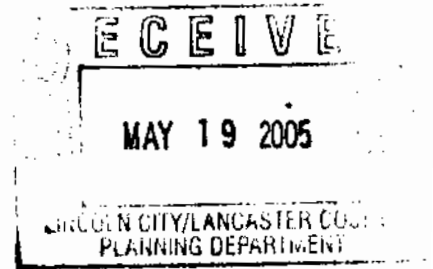
SURVEYOR'S CERTIFICATE

I hereby certify that I have accurately surveyed the property in the above plat. Signed this day of 10-20-2004
All dimensions are in feet and decimals of a foot.

Billy Joe Kerr
Billy Joe Kerr, L.S.



May 18, 2005



Lancaster County / City of Lincoln Planning Department
Planning Commission and City Council

Purpose statement for special permit application:

We are proposing to construct a barn on our property. The special permit we are applying for is to allow us to have an employee live in a portion of the barn. The barn would be constructed to have living quarters for this employee. The employee is responsible for many tasks for our family including: childcare, care for my disabled mother, errand services, transportation of family members, caring for and maintaining home inside and out, coordinating misc. services for family home, grounds, and outbuildings as needed and other misc. tasks.

Thank you for your time and help in this matter,

A handwritten signature in cursive script, appearing to read "Ryan & Jennifer Omel".

Ryan & Jennifer Omel



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090

MAY 25 2005

May 23, 2005

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Omel Property

Dear Mike,

I have reviewed the subject plat and see no need for easements in this instance.

Thanks for your cooperation.

Sincerely,


Rick Volmer, Staking Engineer



Terry A Kathe/Notes
05/23/2005 12:39 PM

To: Michael V Dekalb/Notes@Notes
cc
bcc
Subject: SP05027

Mike -

After reviewing the above mentioned project, this department has the following comments;

- 1) Parking must be shown on the site plan, per the SP requirements.
- 2) the building must meet the building code. (many accessory buildings are built with different standards)

**** There should be something in the resolution to document that this accessory use is only permitted as long as the individual living in these quarters is an employee of the premise.

Lancaster


DON R. THOMAS - COUNTY ENGINEER

County

Engineering

Department

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: May 23, 2005
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor 
SUBJECT: APPLICATION FOR SPECIAL PERMIT NO. 050247
OMEL PROPERTY

MAY 24 2005

Upon review, this office has no direct objections to this submittal.



Benjamin J Higgins/Notes
05/24/2005 09:13 AM

To Michael V Dekalb/Notes@Notes
cc Chad E Blahak/Notes@Notes
bcc
Subject Omel Property special permit review

Mike

Watershed Management has no comments on the Omel property special permit. It is not in a floodplain or floodprone area. Thanks

Ben Higgins
Watershed Management
City of Lincoln Public Works
441-7589

Memorandum

To: Mike DeKalb, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: 10400 South 56th Special Permit #05027
Date: May 31, 2005
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has no comment on the Special Permit 05027 to construct a barn with living quarters on the property located at 10400 South 56th. There are no public utilities to serve this location.

LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT INTER-OFFICE COMMUNICATION

TO: Mike DeKalb	DATE:	June 1, 2005
DEPARTMENT:	FROM:	Chris Schroeder
ATTENTION:	DEPARTMENT:	Health
CARBONS TO: EH File EH Administration	SUBJECT:	Omel Property SP #05027

The Lincoln-Lancaster County Health Department has reviewed the special permit application and does not object to the approval of this application.